

NEAL & HARWELL, P.L.C.
LAW OFFICES
150 FOURTH AVENUE, NORTH
SUITE 2000
NASHVILLE, TENNESSEE 37219-2498

TELEPHONE
(615) 244-1713

FACSIMILE
(615) 726-0573

June 10, 2005

JAMES F. NEAL
AUBREY B. HARWELL, JR.
JON D. ROSS
JAMES F. SANDERS
THOMAS H. DUNDON
RONALD G. HARRIS
ALBERT F. MOORE
PHILIP N. ELBERT
JAMES G. THOMAS
WILLIAM T. RAMSEY
JAMES R. KELLEY
MARC T. MCNAMEE
GEORGE H. CATE, III
PHILIP D. IRWIN
A. SCOTT ROSS
GERALD D. NEENAN

AUBREY B. HARWELL, III
W. DAVID BRIDGERS
KENDRA E. SAMSON
MARK P. CHALOS
DAVID G. THOMPSON
CYNTHIA S. PARSON
KELTIE L. HAYS
CHRISTOPHER D. BOOTH
RUSSELL G. ADKINS
ELIZABETH S. TIPPING

OF COUNSEL
JOHN D. CLARKE

VIA HAND DELIVERY

Sharla Dillon, Docket Manager
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37238

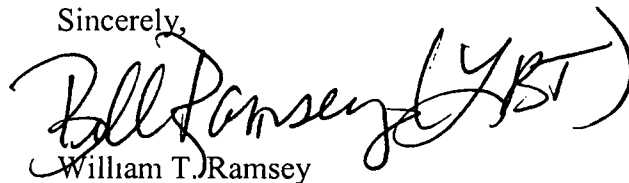
Re: Coalition of Small Lec's
Docket Nos. 04-00380

Dear Ms. Dillon:

Enclosed is an original and fourteen copies of the Petition for Emergency Relief and Request for Standstill Order By the Tennessee Rural Independent for filing in the above docket.

Thank you for your assistance.

Sincerely,


William T. Ramsey

WTR:sm m
Enclosures

cc: All Counsel of Record

RECEIVED
JUN 10 PM 4:15
T.R.A. DOCKET ROOM

**BEFORE THE
TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE:

**BELLSOUTH TARIFF FILING TO
INTRODUCE TRANSIT TRAFFIC
SERVICE, TARIFF NO. 04-01259**

DOCKET NO. 04-00380

**PETITION FOR EMERGENCY RELIEF AND
REQUEST FOR STANDSTILL ORDER
BY THE TENNESSEE RURAL INDEPENDENT COALITION**

The Tennessee Rural Independent Coalition (hereinafter "the Coalition") respectfully submits this Petition, by counsel, for emergency relief and a standstill order directing BellSouth Telecommunications, Inc. ("BellSouth") to refrain from collecting transit fees with reference to existing settlement arrangements, including the June 2005 settlement statement, and mechanisms currently in effect between BellSouth and the Coalition.

1. Bellsouth is proposing to collect transit fees from the Coalition, via the inter-company settlements through a "netting" process. This would allow BellSouth to receive payment prior to the Coalition companies having an opportunity to review and/or approve the details of the transit charge.

2. The current settlement process has its origins in the manner intra-lata toll, private line revenues, and other transactions are settled. For example, the Coalition companies concur in BellSouth's intra-lata toll tariff, and bill the Coalition's customers on behalf of Bellsouth. BellSouth is liable for access charges payable to the Coalition companies for these same toll minutes. For administrative ease, the settlement process was developed to net the difference between the toll due BellSouth and the access due the Coalition companies. The netting that occurs within the settlement

process results in a single check being issued to BellSouth or the Coalition company and expedites the payment of the normal and recurring transactions. At the end of each billing cycle, there is either an amount due BellSouth or due the Coalition companies.

3. BellSouth plans to handle transit fees in the settlement process. As described above, this will result in BellSouth being automatically compensated for these fees by the Coalition companies. Transit fees differ in that this is a new charge involving massive amounts of data. Transit fees are calculated using traffic data recorded and processed by BellSouth, for most of the Coalition companies. The Coalition rightfully deserves the opportunity to review the transit data and approve the associated charges prior to payment being made to BellSouth.

4. A cursory review of the initial transit traffic data prepared by BellSouth has resulted in massive adjustments. BellSouth has concurred in most if not all of the errors identified by Coalition companies. Therefore, the Coalition is requesting that BellSouth issue separate invoices and not include transit fees in the settlement process and to allow Coalition members additional time to review the adequacy of the data provided.

5. In addition, there are several questions regarding the types of traffic that should be subject to the BellSouth transit traffic tariff. The Coalition seeks clarification from the Authority regarding the applicability of County Wide Calling, Metro Area Calling and specifically whether Internet (ISP) traffic is subject to an Intrastate Tariff.

6. Finally, the Coalition requests the Authority to require BellSouth to justify the use of and explain the development of a "market" based rate and explain the tandem office options that exist for Coalition companies.

WHEREFORE, THESE PREMISES CONSIDERED, the Coalition respectfully requests that the TRA issue an order to direct BellSouth to standstill and refrain from collecting the transit

fees relative to existing settlement terms including the June 2005 statement, pending clarification from the TRA regarding the interpretation and application of certain settlement provisions.

The Coalition further prays for relief as may be deemed proper by this Authority.

Respectfully submitted,

NEAL & HARWELL, PLC

By: William T. Ramsey /w/permission
William T. Ramsey, No. 9245 *CDB*
One Nashville Place
150 Fourth Avenue North, Suite 2000
Nashville, TN 37219
Phone: 615-244-1713
Fax: 615-726-0573

**Counsel for "The Coalition of Small LECs and
Cooperatives"**

**Ardmore Telephone Company, Inc.
Ben Lomand Rural Telephone Cooperative, Inc.
Bledsoe Telephone Cooperative
CenturyTel of Adamsville, Inc.
CenturyTel of Claiborne, Inc.
CenturyTel of Ooltewah-Collegedale, Inc.
Concord Telephone Exchange, Inc.
Crockett Telephone Company, Inc.
DeKalb Telephone Cooperative, Inc.
Highland Telephone Cooperative, Inc.
Humphreys County Telephone Company
Loretto Telephone Company, Inc.
Millington Telephone Company
North Central Telephone Cooperative, Inc.
Peoples Telephone Company
Tellico Telephone Company, Inc.
Tennessee Telephone Company
Twin Lakes Telephone Cooperative Corporation
United Telephone Company
West Tennessee Telephone Company, Inc.
Yorkville Telephone Cooperative**

CERTIFICATE OF SERVICE

I hereby certify that on June 10, 2005, a copy of the foregoing document was served on the parties of record, via the method indicated:

Russ Mitten, Esq.
Citizens Communications
3 High Ridge Park
Stamford, Connecticut 06905
Rmitten@czn.com

Henry Walker, Esq.
Boult, Cummings, et al.
PO Box 198062
Nashville, TN 37219-8062
hwalker@bccb.com

James Wright, Esq.
Sprint
14111 Capitol Blvd.
NCWKFR0313
Wake Forest, North Carolina 27587
James.wright@mail.sprint.com

J. Gray Sasser, Esq.
Miller & Martin
1200 One Nashville Place
150 Fourth Avenue North
Nashville, TN 37219
gsasser@millermartin.com

James Lamoureux, Esq.
AT&T
1200 Peachtree St. N.E.
Atlanta, Ga. 30309
NO E-MAIL ADDRESS
FAX: (400) 810-5901

Laura Gallagher, Esq.
Drinker Biddle & Reath LLP
1500 K Street, NW
Washington, DC 20005
laura.Gallagher@dbr.com

Donald L. Scholes
Branstetter, Kilgore, et al.
227 Second Ave. N.
Nashville, TN 37219
dscholes@branstetterlaw.com

Timothy Phillips, Esq.
Office of the Tennessee Attorney General
PO Box 20207
Nashville, TN 37202
Timothy.Phillips@state.tn.us

Guy M. Hicks, Esq.
Joelle Phillips, Esq.
BellSouth Telecommunications, Inc.
333 Commerce St., Suite 2101
Nashville, TN 37201-3300
Joelle.Phillips@bellsouth.com

Carolyn.Hanesworth@BELLSOUTH.com

Elaine Critides, Esq.
John T. Scott, Esq.
Charon Phillips, Esq.
Verizon Wireless
1300 I Street N.W.
Suite 400 West
Washington, D.C. 20005
elaine.critides@verizonwireless.com

Paul Walters, Jr., Esq.
15 East 1st Street
Edmond, OK 73034
pwalters@sbcglobal.net

Suzanne Toller, Esq.

Davis Wright Temaine
One Embarcadero Center #600
San Francisco, Calif. 94111-3611
suzannetoller@dw.com

Beth K. Fujimoto, Esq.
AT&T Wireless Services, Inc.
7277 164th Ave., N.E.
Redmond, WA 98052
Beth.fujimoto@attws.com

Monica M. Barone, Esq.
Sprint
6450 Sprint Parkway
Overland Park, KS 66251
mbaron02@sprintspectrum.com

Mr. Tom Sams
Cleartalk
1600 Ute Ave.
Grand Junction, CO 81501
toms@cleartalk.net

Dan Menser, Esq.
Marin Fettman, Esq.
c/o T Mobile USA, Inc.
12920 SE 38th St.
Bellevue, WA 98006
dan.menser@t-mobile.com

Mark J. Ashby
Cingular Wireless
5565 Glenridge Connector
Suite 1700
Atlanta, GA 30342
Mark.ashby@cingular.com

Stephen G. Kraskin, Esq.
Kraskin, Lesse & Cosson, LLP
2120 L Street NW, Suite 520
Washington, DC 20037
skraskin@klctele.com

Mark Felton
SPRINT
6450 Sprint Parkway
Mail Stop KSOPHN0212 - 2A472
Overland Park, KS 66251
mark.g.felton@mail.sprint.com

Joe Chiarelli
Sprint
6450 Sprint Parkway, 2nd Fl.
Mail Stop KSOPHN0212 2A568
Overland Park, KS 66251
jchiar01@sprintspectrum.com

Bill Brown
Senior Interconnection Manager
Cingular Wireless
5565 Glenridge Connector, Suite 1534D
Atlanta, GA 30342
bill.brown@cingular.com

Greg Tedesco
T-Mobile USA, Inc.
2380 Bisso Lane, Suite 256
Concord, CA 94520-4821
greg.tedesco@t-mobile.com

Gary Sanchez, Associate Director-
State Regulatory Relations
Cingular Wireless
5565 Glenridge Connector Ste. 1710
Atlanta, GA 30342
gary.sanchez@cingular.com

Marc Sterling
Verizon Wireless
One Verizon Place
Alpharetta, GA 30004
Marc Sterling@VerizonWireless.com

Desda Hutchins
Loretto Telephone Company, Inc.
P.O. Box 130
Loretto, TN 38469
desda@lorettotel.net

Melvin J. Malone
Miller & Martin PLLC
1200 One Nashville Place
150 Fourth Avenue North
Nashville, TN 37219
mmalone@millermartin.com

William T. Ramsey, w/permission
CDB